

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

AHESHIA A. WEST,

Plaintiff,

v.

ANDREW SAUL<sup>1</sup>,  
*Commissioner of Social Security,*

Defendant.

No. 4:19-CV-00053

(Judge Brann)

(Magistrate Judge Saporito)

**ORDER**

**APRIL 15, 2020**

Aheshia A. West filed this action seeking review of a decision of the Commissioner of Social Security (“Commissioner”) denying West’s claim for social security disability benefits and supplemental security income.<sup>2</sup> In February 2020, Magistrate Judge Joseph F. Saporito, Jr., issued a Report and Recommendation recommending that this Court affirm the Commissioner’s decision and close this case.<sup>3</sup>

West filed timely objections to the Report and Recommendation.<sup>4</sup> West disagrees with Magistrate Judge Saporito’s recommendation that the Commissioner

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<sup>1</sup> Pursuant to Federal Rule of Civil Procedure 25(d), Andrew Saul—as the successor officer to Nancy Berryhill, Acting Commissioner of Social Security—is automatically substituted as Defendant in this action.

<sup>2</sup> Docs. 1, 11.

<sup>3</sup> Doc. 14.

<sup>4</sup> Doc. 15.

properly gave limited weight to an examining physician’s opinion, and contends that Magistrate Judge Saporito failed to address two claims that West believes are meritorious.<sup>5</sup> “If a party objects timely to a magistrate judge’s report and recommendation, the district court must ‘make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.’”<sup>6</sup> Regardless of whether timely objections are made, district courts may accept, reject, or modify—in whole or in part—the magistrate judge’s findings or recommendations.<sup>7</sup>

Upon de novo review of the record, the Court finds no error in Magistrate Judge Saporito’s conclusion that the Commissioner’s decision is supported by substantial evidence.<sup>8</sup> Consequently, **IT IS HEREBY ORDERED** that:

1. Magistrate Judge Joseph F. Saporito, Jr.’s Report and Recommendation (Doc. 14) is **ADOPTED**;
2. The Commissioner’s decision is **AFFIRMED**;

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<sup>5</sup> *Id.*

<sup>6</sup> *Equal Emp’t Opportunity Comm’n v. City of Long Branch*, 866 F.3d 93, 99 (3d Cir. 2017) (quoting 28 U.S.C. § 636(b)(1)).

<sup>7</sup> 28 U.S.C. § 636(b)(1); Local Rule 72.31.

<sup>8</sup> Although Magistrate Judge Saporito did not directly address two of West’s claimed errors—that the Commissioner erred by assigning insufficient limitations for West’s mental impairments and by failing to adequately account for West’s subjective complaints—for substantially the same reasons outlined in the Government’s briefs, the Court concludes that no reversible error occurred. (*See* Doc. 12 at 19-27; Doc. 16 at 4-5).

3. Final Judgment is entered in favor of Defendant and against Plaintiff pursuant to Fed. R. Civ. P. 58 and sentence four of 42 U.S.C. § 405(g);  
and
4. The Clerk of Court is direct to **CLOSE** this case.

BY THE COURT:

*s/ Matthew W. Brann*

Matthew W. Brann  
United States District Judge